

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
V.	)	
	)	No. 04-10364-NMG
	)	
SHAWN WINBUSH,	)	
	)	
Defendant.	)	

**INITIAL STATUS CONFERENCE REPORT**

The United States of America and the defendant, Shawn Winbush, hereby submit this Initial Status Conference Report pursuant to Local Rule 116.5(A)(1)-(7).

**LOCAL RULE 116.5(A)(1).**

The parties agree there is no reason to grant relief from the otherwise applicable timing requirements imposed by L.R. 116.3.

**LOCAL RULE 116.5(A)(2).**

If the parties are unable to reach a stipulation regarding the drugs seized in this case, the government plans to offer expert testimony regarding those drugs. If it should be necessary for the government to call one or more experts with respect to these matters, the defendant will be promptly notified when those prospective expert witnesses are identified. The government will provide discovery as required by Fed. R. Crim. P. 16(a)(1)(E) no later than 30 days before trial. The defendants will provide reciprocal discovery of any defense experts no later

*N. Russo* 2/16/05

than 15 days before trial.

**LOCAL RULE 116.5(A) (2) .**

At this time, the government does not anticipate providing any additional discovery as a result of future receipt of information, documents, or reports of examinations or tests.

**LOCAL RULE 116.5(A) (4) .**

Defendant Winbush anticipates filing a motion to suppress, and a motion date should be set forth that filing.

**LOCAL RULE 116.5(A) (5) .**

The parties agree that the following time periods are subject to excludable delay:

12/17/04: Arraignment

12/18/04 -

1/14/05: Excludable pursuant to LR 112.2

2/16/05 -

date of next Parties agree to exclude in the  
conference interests of justice  
of next conf.

Therefore, 32 days toward the statutory period have accrued.

**LOCAL RULE 116.5(A) (6) .**


Until defendant's motion to suppress is resolved, the parties cannot say yet whether a trial is anticipated.

**LOCAL RULE 116.5(A) (7) .**

The parties request an interim status conference some 45 days from now, at the convenience of the Court, and ask that the time until that status conference be excluded in the interests of


justice so as to allow defense counsel to review discovery and allow the parties to discuss the possibility of a resolution of the case short of trial.

SHAWN WINBUSH

By:   
LAWRENCE P. NOVAK, ESQ.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By:   
NANCY RUE  
Assistant U.S. Attorney

Dated: February 15, 2005